


3. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 09/841,441.

4. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable ~~only~~ for and during such period that the patent and any patent granted on U.S. Patent Application No. 09/841,441 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of a patent granted on U.S. Patent Application No. 09/841,441, as presently shortened by any terminal disclaimer, in the event that the patent granted on U.S. Patent Application No. 09/841,441 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. A fee authorization for the required fee is enclosed.

By:



Del S. Christensen
Senior Counsel for Shell Oil Company
Reg. No. 33,482 ✓

SHELL OIL COMPANY
P.O. BOX 2463
HOUSTON, TX 77252-8463
(713) 241-3997 (voice)
(713) 241-6617 (facsimile)

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Inventors: Wellington et al.
Appl. Ser. No.: 09/841,490
Atty. Dckt. No.: 5659-01100

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: 5-23-03